

REMARKS

The Office Action of January 7, 2008, asserts that no drawings were included with this application as filed. The application has been examined based on the drawings that were filed as part of the applicant's priority document. Based thereon, several objections were raised as to such drawings.

The applicant's attorney's file reflects that formal drawings were in fact filed as part of this application. Nevertheless, the applicant submits herewith three sheets of new/replacement drawings which conform to the drawings of the priority document and which also address the informalities identified as objections to the priority document drawings. There is no issue as to new matter in view of the inclusion of the priority document with the application as filed.

The Office Action also objected to the Abstract of the Disclosure apparently on the basis that it was not presented in the Preliminary Amendment on a separate sheet. To address this item, the applicant has submitted above the same Abstract presented on a separate sheet of this paper.

The Office Action also rejected original claims 1-5 of this application under 35 USC 103(a) as assertedly obvious over Hermanns et al. U.S. Patent No. 6,381,511. The applicant respectfully disagrees and therefore traverses this rejection. Reconsideration is respectfully requested.

Briefly summarized, the present invention provides an improvement in rotor spinning machines by which machines adapted for the production of effect-free yarns (i.e., yarns having a consistently uniform yarn diameter and weight per unit length) may be cost-effectively adapted for the production of novelty so-called "effect" yarns (e.g., yarns having varying thick-thin segments of varying fiber weights along the length of the yarns). In order to equip a rotor

spinning machine to be capable of producing effect or novelty yarn with predetermined properties of the effects, a substantial outlay of cost is required for control devices and often also for the necessary types of controllable drives for the draw-in and opening rollers of the machine. For costs reasons, these necessary machine elements are not utilized in new rotor spinning machines which are not designed for nor intended to spin effect or novelty yarn. Thus, only specialty rotor spinning machines particularly intended for producing novelty effect yarns are equipped with the necessary components to enable the production of effect or novelty yarn. Such machines represent a small proportion of rotor spinning machines.

On the other hand, when a yarn manufacturer desires to produce a novelty effect yarn, it is often desired for economic reasons to use existing rotor spinning machines designed for effect-free yarn production, instead of acquiring new specialty effect-capable machines. However, the costs for retrofitting such machines are quite high. In particular, the control devices in such machines, which are adequate for controlling the production of effect-free yarn, are incapable of the control functions needed for production of effect or novelty yarn.

The present invention addresses this problem by providing control devices which may be cost-effectively retrofitted to effect-free rotor spinning machines to enable the production of novelty effect yarns. Specifically, the control devices according to the present invention each have a connection mechanism, to which can be attached an additional control card specifically adapted for producing effect or novelty yarn with predetermined effects. The control card has a processor having more elevated computing power capabilities required for producing effect or novelty yarn and the card is adapted to be activated via a data bus system.

The Hermanns et al. reference neither discloses nor even remotely suggests this fundamental conceptual novelty of the present invention. Indeed, it appears that the Hermanns et al. reference has been misconstrued in the Office Action.

Hermanns et al. discloses an improved control and information system for a textile machine, e.g., either a spinning or a winding machine, having a plurality of identical work stations. According to Hermanns et al. the improved control and information system provides a measuring head of a yarn cleaning device along with one individual processor at each work station for controlling the work station. The control and information system evaluates signals from the measuring head and controls the cleaning device for the yarn based thereon. Communications with a central processor take place via a common data bus.

The Office Action asserts that Hermanns et al. teaches a rotor spinning machine with plural spinning stations each having an opening roller and draw in roller, each equipped with a control device with individual drives. On the contrary, Hermanns et al. does not even mention nor illustrate the presence of draw-in rollers or opening rollers in any way and, in turn, necessarily fails to specifically teach the driving of draw-in rollers, whether by individual drives or otherwise. Hermanns et al. only describes the presence of draw-off rollers (Col. 4 line 11).

Since the present invention is concerned specifically with the driving and control of the draw-in and opening rollers in a rotor spinning machine, this deficiency in the teachings of Hermanns et al. is respectfully submitted to make it clear that Hermanns et al. does not fairly suggest or render obvious the present invention.

Specifically, in the operation of a rotor spinning machine according to the present invention, a sliver is drawn from a sliver can through a so called condenser. The sliver drawn in through the condenser is clamped between a clamping table and a draw-in roller and presented to

a rotating opening roller. From the opening roller the opened fibers are fed to a spinning box, from which a spun yarn is drawn off through a draw-off tube by means of draw-off rollers. The present invention concerns the production of an effect yarn by the varying of the speed of the draw-in rollers.

Since Hermanns et al. does not at all mention a novelty effect yarn or the relevant elements of a spinning machine required for creating effects in such a yarn, the present invention cannot reasonably be asserted to be obvious from Hermanns et al. in the first instance.

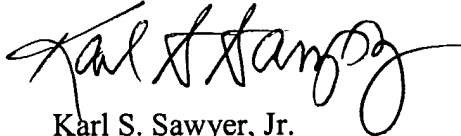
Moreover, according to the present invention as claimed, each control device for individual drives of the draw-in rollers has a connection mechanism to which an additional control card can be attached for producing effect yarn with predetermined effects. While Hermanns et al. discloses a processor or a control device with several functions, the aim of the Hermanns et al. invention is to reduce control devices by combining the functions of differing control devices into one device. Hermanns et al., however, does not disclose a connection mechanism to which an additional control card can be attached, and especially does not disclose any connection mechanism for producing effect yarn.

Further, inasmuch as the processor of Hermanns et al. is only described as being designed for the functions disclosed in Hermanns et al., their spinning machine is clearly unable to produce effect yarn because it would be readily apparent to a person ordinarily skilled in the art that the one individual processor described in Hermanns et al. does not meet the elevated computing power requirements for producing effect yarn. By contrast, the additional control card provided in the present invention has its own processor which meets these requirements. As no additional processor for producing effect yarn is disclosed in Hermanns et al., this reference is

clearly deficient in disclosing or teaching that such a processor would be activated via a data bus system as contemplated by the present invention.

For all of the reasons set forth above, it is respectfully submitted that the present invention as defined in the claims as presented is patentably distinguished over the Hermanns et al. reference, and the deficiencies of the Hermanns et al. reference are not overcome by the teachings of any of the other prior art of record. Favorable reconsideration, early allowance and passage to issuance of this application are respectfully requested.

Respectfully submitted,



Karl S. Sawyer, Jr.
U.S. Reg. No. 28,902
Kennedy Covington Lobdell & Hickman LLP
Hearst Tower, 47th Floor
214 North Tryon Street
Charlotte, North Carolina 28202
Telephone: (704) 331-5792
Fax: (704) 353-3692
-- Attorney for Applicants